



AGENDA

TUESDAY, JUNE 10, 2014 @ 6:00 P.M.

O'FALLON CITY HALL - 255 SOUTH LINCOLN AVENUE

1. Call to order by Chairman.
2. "Pledge of Allegiance to the Flag."
3. Roll Call and Establishment of Quorum.
4. Reading and approval of the minutes of the previous meeting.
5. Recognition of visitors and their purpose.
6. Unfinished Business
7. Public Hearings –
 - a. **(P2014-05)** - Zoning Amendment Subject to the Planned Development Ordinance from "B-1" Community Business District to "B-1(P)" Planned Community Business District for a church in an existing building. The property is 251 Regency Park Drive and the petitioner is Bill Tindall, Tindall Construction.
8. Reports of Standing and Special Committees – no reports
9. Reports and Communications
10. Adjournment

General Citizen Comments: The City of O'Fallon welcomes comments from our citizens. The Illinois Open Meetings Act provides an opportunity for citizens to speak at all committee and Board meetings. However, 5 ILCS 120/1 mandates that NO action shall be taken on matters not listed on the agenda. Please submit your name to the chairman and limit your comments so that anyone present has the opportunity to speak.

Community Development Department

255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

**DRAFT MINUTES
O’FALLON PLANNING COMMISSION
April 22, 2014**

Chairman Larry Sewell called the meeting to order at 6:00 p.m. in the City Council Chambers and led the Pledge of Allegiance.

ATTENDANCE: Debbie Arell-Martinez, present; Jeffrey Baskett, excused; Joan Cavins, present; Al Keeler, excused; Joe Rogers, present; Ray Rohr, excused; Larry Sewell, present; A quorum was declared present by Sewell.

MINUTES: Motion was made by Cavins and seconded by Rogers to approve the minutes of January 28, 2014. All Ayes. Motion carried.

Sewell welcomed everyone and explained the role of the Planning Commission. The Planning Commission members introduced themselves. Also present were Director of Community Development Ted Shekell and Senior City Planner Justin Randall. Present in the audience was City Alderman Ray Holden, as well as other citizens. Sewell gave an overview of the process that would be followed for the evening.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS:

(P2014-02) - Zoning Amendment Subject to the Planned Development Ordinance for an existing approved “B-1(P)” Planned Community Business District development to allow conversion of a portion of the permitted retail/office designated square footage into restaurant use with alcohol. The property is Sunrise Center II located at 1334 Central Park Drive and the petitioner is Moonsung Song for SMA, Inc.

Public hearing was opened at 6:04 p.m. Randall presented an overview of the project and staff report. A map of the subject and surrounding properties and their zoning was shown, along with several site photos taken by Staff. Randall highlighted various points and issues from Staff’s Project Report dated April 22, 2014, among them:

- Approved in 2005 for one restaurant to occupy 5,538 sq ft of the 15,769 sq ft mixed use shopping center
- Request is to locate a second restaurant to occupy approximately 3,900 sq ft
- Increase of 11 parking spaces is required for restaurant use. Revised site plan to increase parking to 111 spaces includes:
 - Narrowing the spaces in the rear parking area (primarily used by employees) from 10 ft to 9 ft will allow additional 3 spaces.
 - One-way circulation proposed around the building allowing the addition of 8 parallel parking spaces on the eastern edge of the parking lot
 - Revised parking plan will allow Fire Department Connection (FDC) access.
- Landscaping – no change proposed nor required
- Lighting – no change proposed nor required
- Commercial Design Handbook – does not apply as this is an existing building

Shekell reported that while the building owner has requested the name of the restaurant not be made public at this time, it is a high-end restaurant with alcohol sales and will be a very good addition to the area. They are ready to sign a lease. Sewell questioned if this was an uncommon approach with not knowing what restaurant or cuisine wants to move in. Shekell replied that since this is an existing space and the building owner is applying, it can remain confidential. Shekell made reference to the text amendment petition later in the evening, and with this restaurant moving here from another local community, if it were to be named, it could compromise the move into O'Fallon.

Arell-Martinez asked how tight the parallel parking and circulation is going to be around the building. Randall responded there will be 18 ft to bypass the parked cars and it does meet city code for one-way access.

Public comments were opened at 6:16 p.m.

Tim Fletcher was sworn in and commented on the burden with this space being empty since the building was constructed. They want to ensure the amended planned use zoning is approved so they can get the lease signed before they lose the opportunity for this tenant.

Public comments were closed at 6:18 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation as follows:

Staff recommends approval of the amendment to a previously approved Planned Use for Sunrise Center II, which will increase the square footage from 6,838 to 9,696, with the following conditions:

1. Prior to occupancy of the new restaurant space, the parking lot must be restriped according to the parking plan received on March 24, 2014.
2. A "Do Not Enter" sign must be placed in the landscape island at the end of the employee parking area to indicate the driveway is one-way.

Motion was made by Rogers and seconded by Arell-Martinez to approve the Staff's Recommendation.

Sewell suggested Condition #3: Variance granted to allow the 20 parking spaces at the rear of the property, as indicated on the site plan, be 9 ft in width.

Motion was made by Rogers and seconded by Cavins to approve the Staff's Recommendation as amended.

ROLL CALL: Arell-Martinez, aye; Cavins, aye; Rogers, Aye; Sewell, aye. All Ayes.
Motion to approve with conditions as amended passed.

The project moves to Community Development on April 28, 2014, at 6 p.m. The public hearing was closed at 6:22 p.m.

(P2014-01) – Zoning Amendment Subject to the Planned Development Ordinance from “SR-3” Single-Family Residence Dwelling District to “B-2(P)” Planned General Business District to bring the existing use of trucking company into conformance with the appropriate zone district. The property is 97 Betty Lane and the petitioners are Kevin and Melinda Dall for DZ Trucking.

Public hearing was opened at 6:23 p.m. Randall presented an overview of the project and staff report. A map of the subject and surrounding properties and their zoning was shown, along with several site photos taken by Staff. Randall highlighted various points and issues from Staff’s Project Report dated April 22, 2014, among them:

- Comprehensive Plan shows this 1.74 acre site as Heavy Commercial and it is currently being used as a trucking dispatch facility. Single- and multi-family uses are along Seven Hills Road and south of the subject property.
- Proposed use of trucking dispatch facility as well as other B-2 uses
- Annexed in 2001 as SR-3, facility was grandfathered.
- Storage area is gravel and there are 10 parking spaces for vehicles.
- Back portion of the property slopes downward. There is a stormwater issue to be addressed by clearing out the silt buildup to ensure drainage at the correct rate.
- No screening is provided currently on the northern, southern, and eastern sides of the property and there are residential properties adjacent. This is to be addressed with fencing and landscaping condition. Some of the buffering can be done at a later date as this is an existing site.
- The project does not meet all applicable zoning standards, but it is an existing grandfathered site. The changes made by the owner and those recommended will bring the site more closely into compliance with current regulations. They will also make the property financially more marketable to potential buyers.

Sewell asked about grandfathering. Shekell explained that because the property was zoned single-family in the County, it was annexed in as SR-3 but was not a permitted use. Banks will not finance grandfathered uses so if the facility was destroyed, it could not be rebuilt as a trucking company. This rezoning will clean up the zoning issues with respects to business buffering and drainage - this is a good compromise.

Public comments were opened at 6:35 p.m.

Marsha Maller, Engineer with Thouvenot, Wade, and Moerchen, was sworn in. Maller echoed the statements made by Shekell that if they decide to sell the property, potential buyers are scared off by the grandfathered use. The rezoning will make it more marketable.

Public comments were closed at 6:37 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation as follows:

Staff recommends approval of the project with the following conditions:

1. Any change in use of the property or 24 months from the date of approval of the ordinance, a 6-foot wood or vinyl privacy fence with evergreen trees planted

- ever 25 feet on the outside of the fencing would need to be installed along the northern, eastern and southern property line to meet current code requirements.
2. Any change in use to another B-2 use will require Community Development Department review and approval.
 3. Improvements to the previously approved detention area must be completed with 6 months of approval of the ordinance.
 4. An accessible space designed in accordance with Section 158.145 is required for the site.

Shekell suggested changing Condition 2 to “Any change in use, *or occupancy*, to another B-2 use will require Community Development Department review and approval.”

Motion was made by Rogers and seconded by Cavins to approve the Staff's Recommendation with the change to Condition 2.

ROLL CALL: Arell-Martinez, aye; Cavins, aye; Rogers, Aye; Sewell, aye. All Ayes. Motion to approve with conditions passed.

The project moves to Community Development on April 28, 2014, at 6 p.m. The public hearing was closed at 6:42 p.m.

(P2014-03) – Zoning Amendment Subject to the Planned Development Ordinance for an existing approved “B-1(P)” Planned Community Business District development to approve a restaurant with alcohol sales, with outdoor seating and to amend the site plan. The property is 1180 Central Park Drive and the petitioner is Paul Khoury, STL Lodge Ventures – Twin Peaks

Public hearing was opened at 6:42 p.m. Randall presented an overview of the project and staff report. A map of the subject and surrounding properties and their zoning was shown, along with several site photos taken by Staff. Randall highlighted various points and issues from Staff's Project Report dated April 22, 2014, among them:

- 5.35-acre parcel was previously approved for Cheddar's restaurant and the 8,615 sq ft Twin Peaks restaurant with outdoor seating with alcohol is consistent with Cheddar's approval
- Only one freestanding monument sign on Central Park Drive is proposed
- Two building concepts have been presented and Staff requests clarification from the applicant which design is being pursued to ensure compliance with Commercial Design Handbook.
- Alignment of the entrances to Menards needs to be verified with the applicant but the entrances should align.
- Number of parking spaces provided is sufficient; however, additional accessible parking spaces are needed.
- Parking lot lighting will have to meet Code standards.
- Drive aisle width needs to be determined and use of planters and directional striping and signage in place.
- If any stormwater flows towards I64, then IDOT permit approval is required. It has not been determined if all or only part of the stormwater from the site will be directed towards the Central Park Plaza regional detention basin.

- Landscaping has not been shown on the plan and will have to meet the City's requirements for parking lot landscaping, street landscaping, and buffering around perimeter of parking lot.
- Dumpster pad is built into the site
- The restaurant conforms with the Comprehensive Plan
- Conformity to the Zoning Code is undetermined with the current plan submittal. Conditions recommended will ensure conformance with all applicable zoning standards.

Shekell reported that as no variances have been requested by the applicant, none are being considered.

Public comments were opened at 6:51 p.m.

Tom Peterson, partner with St. Louis Lodge Ventures, was sworn in. Peterson stated they have been awarded franchisee rights. Twin Peaks is a mountain-themed sports bar with homemade sports bar food, beer, up to 87 televisions, and have attractive wait staff. They are proposing 5 or more restaurants and want this to be their first in the St. Louis area as this is a fresh market. They have had much success with the other 18 locations and have been featured on "Undercover Boss." Peterson anticipates a construction start this summer.

Public comments were closed at 6:54 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation as follows:

Staff recommends approval of the project with the following conditions:

1. Future submittal of plans shall meet the standards of a final site plan set forth in Section 158.054, including but not limited to:
 - a. Location map;
 - b. Final grading plans;
 - c. Utility plans;
 - d. Details for water and storm sewer lines, pavement and dumpster enclosure elevations.
2. Parking:
 - a. The parking lot perimeter shall be curbed with a 6" rolled or vertical, poured in place, concrete curb;
 - b. Parking spaces shall be a minimum of 10 feet x 19 feet;
 - c. Drive aisles shall be a minimum of 24 feet;
 - d. The site will need to provide 6 accessible parking spaces with aisles.
3. Access
 - a. Entrances will need to align with existing Menard's entrances.
 - b. A cross-access easement must be provided to Lot 25D to the southeast. The physical connection will not be required unless mutually agreed to by the lot owner and the future developer of Lot 25D.
4. Landscaping shall be provided in accordance with Section 158.144, which includes but not limited to:

- a. Landscape island sizes and locations;
 - b. Planting requirements;
 - c. Perimeter buffer.
5. Signage will be required to meet the regulations of Article 8 of Chapter 158: Zoning of the Code of Ordinances.

Motion was made by Rogers and seconded by Arell-Martinez to approve the Staff's Recommendation.

ROLL CALL: Arell-Martinez, aye; Cavins, aye; Rogers, Aye; Sewell, aye. All Ayes. Motion to approve with conditions passed.

The project moves to Community Development on April 28, 2014, at 6 p.m. The public hearing was closed at 6:56 p.m.

(P2014-04) – Planned Use Exemption Ordinance - Text amendment to the Code of Ordinances regarding Planned Use requirements to create an exemption for restaurants with frontage along Regency Park Drive, Central Park Drive, Central Park Circle, and Park Place Drive

Public hearing was opened at 6:57 p.m. Randall presented an overview of the proposed amendment in the Regency Park and Central Park corridors to fast-track certain developments. The amendment will reduce the process and time for approval for certain development and will therefore reduce the potential for developments to be lured away from the City of O'Fallon. This proposal for certain types of restaurants is a test run for potential future amendment considerations.

Randall summarized this exemption proposal:

- The proposed text amendment would allow for an exemption for the Regency Park and Central Park Commercial areas from the Planned Use process in the pre-determined area. The text amendment proposes to allow a restaurant, including liquor sales, consumption on premise and outdoor seating, not having a drive through to be approved administratively if the proposed site plan meets the following requirements:
 - The property must have frontage along Regency Park Drive, Central Park Drive, Central Park Circle or Park Plaza drive;
 - The project conforms with the Commercial Design Handbook and all other code requirements.
- The exemption has a clause to allow the Director to require the planned use process for a project if the project is deemed to not meet the regulations or creates a risk to the safety or the property.

A map of the affected properties was displayed. Shekell explained about the future development of the area and how Staff determined the need for this exemption in this hospitality district-designed area with restaurants. If no variances are needed, and they meet the exemption criteria, then they can be on the fast track for permitting. Shekell reported Darrell Shelton and Wayne Schmidt own most of the available lots and are in support of the proposal. When Ashland Avenue goes through, that will open up the area, to more development potential. Shekell indicated Dave Wittenour of NAIDesco was in the C:\Users\jrandall\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\EIYA7RL7\04-22-14.docx

audience and he supported the proposal, by referencing “Time killed the deal.” O’Fallon is in a unique situation with Shiloh and Fairview Heights adjacent so the faster developments can go through, the better. Shekell reported that Dan Vogel, O’Fallon’s special legal counsel for land use, drafted the proposal language.

Public comments were opened at 7:08 p.m.

Public comments were closed at 7:08 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation as follows:

Staff recommends adopting the text amendment for the exemption to when the planned use process is required.

Motion was made by Cavins and seconded by Arell-Martinez to approve the Staff’s Recommendation.

ROLL CALL: Arell-Martinez, aye; Cavins, aye; Rogers, Aye; Sewell, aye. All Ayes.
Motion to approve with conditions passed.

The project moves to Community Development on April 28, 2014, at 6 p.m. The public hearing was closed at 7:10 p.m.

REPORTS OF STANDING AND SPECIAL COMMITTEES: None.

REPORTS AND COMMUNICATION:

Randall announced that there are no petitions awaiting public hearing for neither May 13th nor May 27th, so those meetings have been cancelled.

Randall re-introduced the color-coded 2014 Zoning Map that was mailed to the members. It was produced by Assistant City Planner Anne Stevenson.

Shekell introduced SIUE intern Cody Morrison, who is currently in the Public Administration Master’s program. Morrison, Randall, and staff have been working with the Chamber of Commerce on a Business Retention and Expansion Program.

Shekell reported that some new residential developments may be coming through soon and the potential medical campus should be coming through in the fall.

ADJOURNMENT:

Motion was made by Rogers and seconded by Cavins to adjourn. All ayes. Motion carried. The meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Vicki Evans, Transcriptionist

Minutes approved by Planning Commission



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Planning Director
DATE: June 10, 2014
PROJECT: P2014-05: Enjoy Church, Planned Use

Location: 251 Regency Park Drive
Ward: 1
Applicant: Bill Tindall of Tindall Construction, Inc.
Owner: Sunrise Counties, LLC
Submitted: May 2, 2014

Introduction

Tindall Construction has filed an application requesting a change of use and zoning for a parcel of land at 251 Regency Park Drive zoned B-1 to B-1 (P). The building located on the property was formally known as Fat Cat's Bowling Alley. The application indicates the proposal is for the reuse of the existing structure and parking lot for Enjoy Church, including the use of the building for church services, offices and meetings.

Zoning & Land Use

The subject property is currently zoned B-1, Community Business District.

Adjacent Zoning

North: O(P) & SR-3

East: O(P)

South: B-1

West: B-1 & B-1(P)

Adjacent Land Use

North: Proposed Green Mount Medical Campus & residences on Carr Street

East: Proposed Green Mount Medical Campus

South: Undeveloped parcel

West: Across Interstate 64-Commercial

Please see the attached maps for more detailed information on surrounding zoning and land uses.

Applicable Ordinance, Documents and Reports

O'Fallon Comprehensive Plan: The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as Regional Commercial, which is consistent with the proposed reuse of the building for a place of worship.

Code of Ordinances: The existing multi-use building is subject to Article 6 Planned Uses of Chapter 158: Zoning of the Code of Ordinance and requires a development plan. The property is also subject to the B-1, Community Business District requirements.

Public Notice: Public Notice of this project has been fulfilled in accordance with Section 158.255 and 158.256 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of

the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Community Development Department.

Discussion Points/Issues

Land Use

The subject property is identified as *Regional Commercial* in the Comprehensive Plan. The proposed project is consistent with the Comprehensive Plan. The subject property is surrounded by vacant land or right-of-way. A Planned Use rezoning is required because the project is a church or place of formal worship. The applicant has indicated they will have two Sunday morning services at 10:25 AM and 11:45 AM, and a midweek service at 7:00 PM. The applicant has indicated services would last approximately one hour. The church does not have Sunday school classes.

Site Plan

The building is already constructed and no building or site changes have been proposed. While there are no changes proposed to the site, there are a number of improvements that will need to be addressed from the building being unoccupied for several years. Prior to occupancy, the overall appearance of the property will need to be improved including, the landscape islands, parking lot lighting and building repairs associated with the city codes regarding Occupancy Permits and Property Maintenance requirements.

Traffic Circulation/Parking

Ingress and Egress: The site will continue to provide access from three existing access points off Regency Park Drive. The church has the potential to generate a large amount of traffic on Sunday mornings during the times leading up to and after both services. However, staff doesn't believe there will be a significant impact to the area. Regency Park Drive already has a large assembly use in the Regency Conference Center and is a two lane road with a middle turn lane. Additionally, the church's peak use of Regency Park Drive is on Sunday mornings, which is considered off-peak for a typical commercial land uses.

Parking: The site has an existing parking lot associated with the previous use as a bowling alley. The parking lot includes 257 parking spaces, 7 of which are designated as accessible spaces. The site plan indicates the parking spaces meet all of the dimension requirements of Chapter 158, Article 7 - Parking and Loading of the Code of Ordinances.

The site plan indicates no additional parking will be provided at this time. The Code of Ordinances requires auditoriums, churches, theaters, stadiums and other places of assembly to provide 1 parking space per 2.5 seats (a seat equals 30" of pew length) or 1 per 3-person capacity based on ICC occupant load, whatever combination is greatest. Enjoy Church proposes using movable chairs for seating, which means the area could be occupied in a multitude of alternatives. Thus, the space is calculated as an assembly without fixed seats – concentrated (chairs only – not fixed). The ICC occupant load is calculated at a rate of 7 square feet per 1 person in largest area for assembly for proposed seating. The building plans indicate the largest area of assembly is 9,870 square feet. Therefore, as constructed and use the space for assembly use the site would have to provide 470 parking spaces (9,870 sq. ft. / 7 sq. ft. per person = 1,410 persons / 3 people per parking space).

The church has provided a seating arrangement based on the number of parking spaces available for use. There are 257 parking spaces on the site; this would amount to an occupancy load of 642 people, calculated according to 1 parking space per 2.5 seats. Therefore, because of the additional area in the building to have more people in the building than parking, staff recommends a condition be placed on the approval that the occupancy of the church shall not exceed the parking provided on the property. As previously mentioned there are two Sunday morning services

Community Development Department

255 South Lincoln Avenue, O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F:618.624.4534

scheduled with approximately 20 minutes between services which could cause minor issues of overlapping church attendees. Staff recommends a minimum of 30 minutes between services to reduce potential parking shortages.

Additionally, there is an area to the south of the building that could be developed with additional parking totaling approximately 20-25 spaces. If the church would seek to provide additional parking the City would reevaluate the maximum occupancy of the building. This approval does not authorize any off-site parking or any parking along Regency Park Drive.

Sidewalks: The site was developed without sidewalks.

Landscaping and Buffer Requirements

Under the original improvements of the site, the site plan included some landscaping. Over time the landscaping in the parking lot islands has been removed or has died. Staff recommends the parking lot landscape islands be landscaped in accordance with Chapter 158, Article 7.

Lighting

Parking lot lighting will remain as constructed; all lighting standards must be in proper working order.

Utilities and Drainage

The existing public water and sewer will remain as previously constructed. No impervious surfaces are being added; therefore no additional drainage information is required.

Signage

At this time, the applicant has not submitted a formal application for signs. According to the building elevations provided the signage proposed is a 40 square foot sign on three sides (front, right and left elevations). The proposed signage would meet the requirements of the Code of Ordinances.

Hours of Operation

The hours of operation for the site should be considered to ensure the use does not create a potential parking conflict. While not typical of hours of operation, staff recommends requiring a minimum of 30 minutes between services on Sundays to allow attendees from the first service to exit the site before attendees of the second service arrive.

Review and Approval Criteria

Section 158.119 of Article 6 "Planned Uses" lists several criteria for evaluating planned uses. Evaluation of the project based on these factors is included under each criterion.

1. The criteria governing the rezoning of the property and approval of site plans, as set forth in the standards and requirements found elsewhere in the zoning code or in other applicable law,
The project meets all applicable zoning standards.
2. The physical design of the proposed plan and the manner in which said design makes adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and park dedication, and furthers the amenities of light, air, recreation and visual enjoyment.
The proposed development will not have a significant impact on traffic, because of the off-peak use of the property.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
Allowing a church in the existing building should not negatively affect adjacent properties.

Community Development Department

255 South Lincoln Avenue, O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

4. The conformity with the standards and principles of the Comprehensive Plan and all other adopted regulations, including the Commercial Design Handbook dated July 6, 2009 and on file with the City Clerk. (Ord 3665; passed 5-3-10)
The proposal is consistent with the Comprehensive Plan. The building was constructed prior to the adoption of the Commercial Design Handbook.
5. The use(s) are designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
The proposed development is designed to be operated to protect the public health, safety and welfare.
6. An identified community need exists for the proposed use.
Yes, a community need exists for the proposed use.
7. The proposed use(s) will not impede the normal and orderly development and improvement of the surrounding property, nor impair the use, enjoyment, or value of neighboring properties.
The development will not impede the normal and orderly development and use of the surrounding property, nor will it impair the use, enjoyment, or value of neighboring properties.
8. The degree of harmony between the architectural quality of the proposed building and the surrounding neighborhood.
The existing building will not detract from many of the structures surrounding the property.
9. The appropriateness of the minimum dimensions and areas of lots and yards set forth in the applicable zoning district regulations.
The proposed development meets the area-bulk requirements set forth in the B-1 Community Business District.

Staff Recommendation

Staff recommends approval of the use, with the following conditions:

1. The occupancy of the church shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the current parking (257 spaces) the maximum occupancy is limited to 642 people. If at any time the church were to construct additional parking on-site, the city would reevaluate the maximum capacity.
2. No expansion of parking or the building is permitted with this planned use, exclusive of the small reserve area on site for additional parking.
3. The property must be cleaned up and restored to occupy the building.
4. All landscape islands shall conform to the planting requirements of Section 158.144 – Parking Lot Landscaping Standards.
5. All lighting standards shall be repaired and operational.
6. No parking shall occur off-site.
7. No parking shall occur on Regency Park Drive.
8. If the area to the south of the building is to be used for parking, it must be upgraded to the parking lot standards of Chapter 158, Article 7.
9. There shall be a minimum of 30 minutes between services on Sundays.

Attachments

- Attachment 1 – Project Application
- Attachment 2 – Zoning Map
- Attachment 3 – Surrounding Land Use Map
- Attachment 4 – Site Plan
- Attachment 5 – Email submitted in Opposition

Community Development Department

255 South Lincoln Avenue, O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F:618.624.4534



Narrative

April 28, 2014

RECEIVED MAY - 2 2014

City of O'Fallon
255 S. Lincoln
O'Fallon, IL 62269

To Whom It May Concern:

Enjoy Church would like to give you a narrative of our desire to hold church services in the building at 251 Regency Park, O'Fallon, IL 62269. Enjoy Church exists to lead people to experience and enjoy a God-first life. We serve the people of our communities with a Bible-based, positive, and affirming approach to practical, everyday living.

The church conducts regular worship services, supports missionaries abroad and oversees various educational and benevolent programs locally. Enjoy Church will host services two to three times per week and possibly a mid-week service with an atmosphere of technology, music, and age appropriate teaching.

We view our auditorium as a tool of outreach to the community. It will feel more like a modern, upscale theater than a traditional church sanctuary and our auditorium seating will comply with parking ratios of the city of O'Fallon. The purpose of this is to support our goal to reach the un-churched person or the person who has fallen away from church. Our messages are practical and life applicable for the topics that we face in our society today.

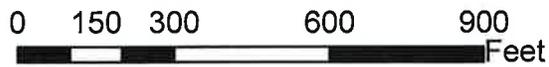
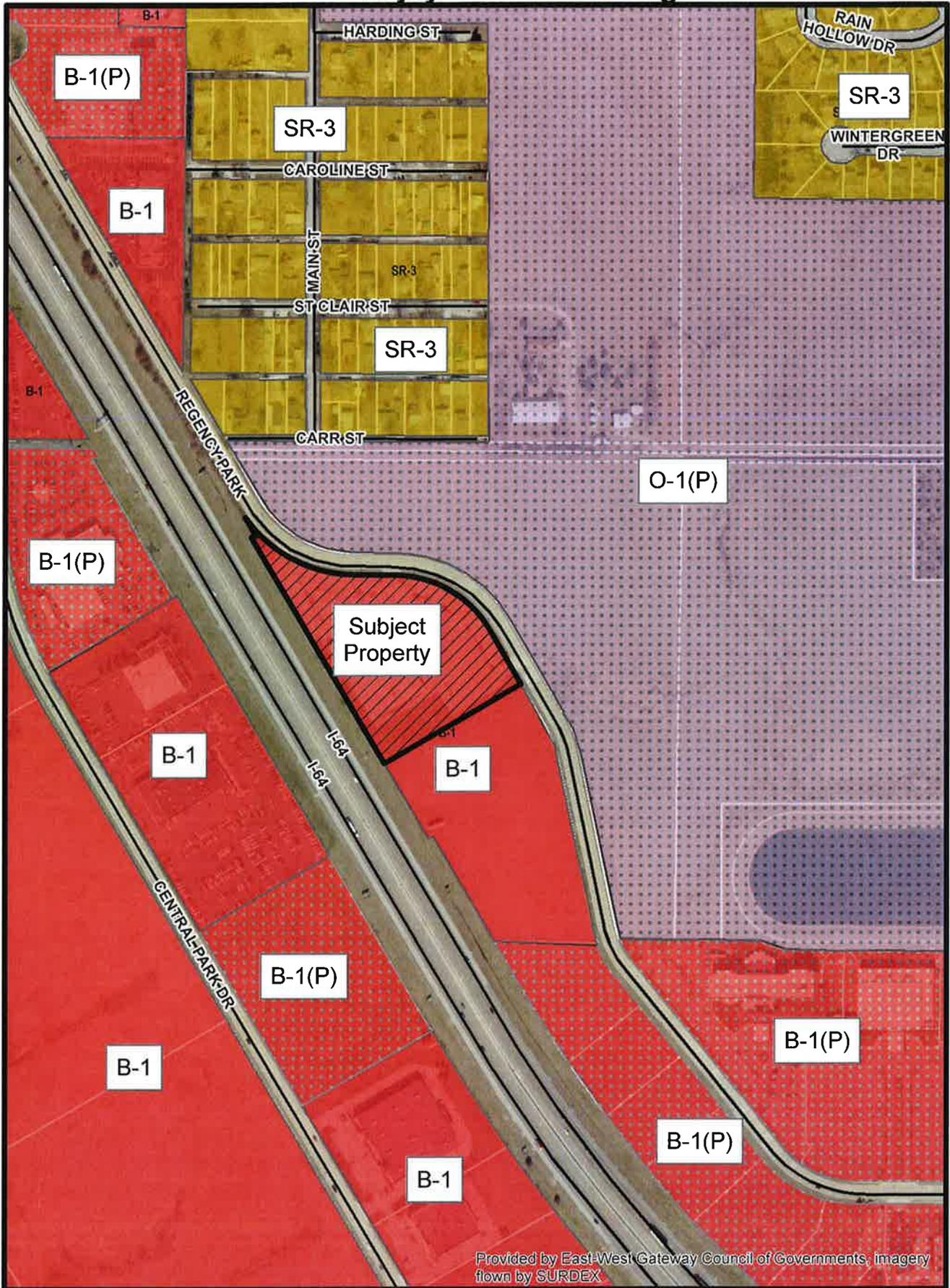
Enjoy Church is a multi-denominational church that is made up of a cross-section of our culture. We are an inclusive church that has a passion to help people find their purpose in life. Our church culture is one of community involvement, with a high priority of serving the community we live in. We also love our local businesses and have a strong business development culture with support, leadership development and business training. Our members are active in and supportive of our community and business within our community.

We are looking forward to being a positive force in the O'Fallon, Illinois area.

Thank You,

Daren W. Carstens
Senior Pastor

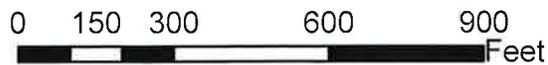
P2014-05: Enjoy Church - Zoning



P2014-05: Enjoy Church - Land Uses



Subject Property



Justin Randall

From: Ted Shekell
Sent: Monday, May 12, 2014 5:00 PM
To: Justin Randall
Subject: FW: 251 Regency Park Dr. - Enjoy Church

fyi

From: Darrell Shelton [<mailto:dgs@centralparkplaza.com>]
Sent: Monday, May 12, 2014 3:04 PM
To: Mayor Graham; Ted Shekell
Cc: Wayne Schmidt; Wittenauer, David; Sheahan, Peter
Subject: 251 Regency Park Dr. - Enjoy Church

Gary and Ted:

I was informed on Friday there is an application for a zoning modification as it relates to the former bowling alley on Regency Park Dr. First I would like you and the City to understand my opposition to this zoning modification has nothing to do with the church or its congregation but the actual location they have selected with its limited parking and its intended use in the development.

As the adjacent property owner it has always been the intention and master plan of both the City and Developer that the subject property be zoned for commercial use (Office, Retail, Hotel, etc.). The plan never designated a church along Regency Park Drive and I am curious on why that is being allowed today. Furthermore, I believe it needs to be noted to the Zoning Board and City Council that Mr. Miles was one of the individuals that had input on the master plan. It seems since his interest in the adjoining property is gone and he owns the bowling alley that he has change his tune on the future outcome and impact of the development.

In my experience church's rein havoc on its neighboring properties because of the traffic and parking issue that arise during their service times and special events especially when they do not have the appropriate parking for their congregation. The congregation will park on adjoining lots when the parking on its property cannot handle their events. I understand that you stated to Wayne that their congregation is in excess of 800 but they have 235 parking spaces on site. In addition you have stated that the church will have restrictions of attendance or occupancy to 580 at any one given time (approx. 2 1/2 times of their parking). I find it extremely hard to believe that a church on its service or event day will shut their doors on its congregation when they hit 580. We both know that the building can hold more than 580 people and when they come – they will not be turned away.

I want to pass along our suggestions that might maintain the value and marketability of our adjoining property. If these suggestions are acceptable to the City we would like to have them as a condition of the zoning approval and also part of the zoning approval is that all approved conditions are included in the lease or sale agreement between Sunrise Counties, LLC and Enjoy Church.

- 1) The church would employ a traffic control individual/company during service or event hours that regulate parking and keep it off adjoining properties.
- 2) The church would employ an off-duty police officer to insure traffic safety and traffic flow on Regency Park Drive when church services or events are occurring.
- 3) The church will plant and maintain a natural border between the adjoining property in order to deter pedestrian flow in which deters off-site parking. The length of the border from the street and height and quantity of the border is

at the discretion of the adjoining property owner.

- 4) The church would not be allowed to have any events or services on the parking lot. All activities must remain in the building. *Any special event must be during "off peak hours",*
in parking lot
- 5) The church will agree if any parking occurs on the adjacent properties that they will be responsible for all towing fees.
- 6) The church signage will be restricted to the building without additional signage on Regency Park Dr or Interstate 64
- 7) Any sound or music from services or events cannot be heard outside - including bell chimes.
- 8) If any of these conditions are violated 2 times in a 60 day period the zoning approval can be revoked and their occupancy permit terminated.

Gentlemen, we all know this organization does not fit in this building. With a congregation of this size it is going to be a problem. As we market the adjoining properties this is a going to be a major concern for a Buyer – I know it, you know it and Darwin knows it.

Sincerely,

Darrell G. Shelton
Shelton Investments, LLC
1331 Park Plaza Dr., Ste. 4
O'Fallon, IL 62269
618-628-0699
Fax 618-628-0787

----- End of Forwarded Message